

ORIGINAL

RONALD A. COLQUITT, ESQ. CHTD.
RONALD A. COLQUITT, ESQ.
Nevada Bar No. 004953
321 S. Casino Center Blvd., #112
Las Vegas, Nevada 89101
Tel: (702) 384-1000; Fax: (702) 543-2197
ronslawoffice@gmail.com
Defendant In Proper Person

FILED RECEIVED
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CLERK OF DISTRICT COURT

2014 NOV -5 A 9:09

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

JOSEPH EUGENE PIOVO, INDIVIDUALLY
AND AS BENEFICIARY OF VICE ROY
UNITED NATIONS CREDIT AND
COMMERCE INTERNATIONAL BLIND
TRUST.

Plaintiffs,

v.

RONALD A. COLQUITT,
Defendant.

CASE No. 2: 13-cv-01922-APG--GWF

**OPPOSITION TO DEFENDANT'S
MOTION TO STRIKE DEFENDANT
COLQUITT'S ANSWER AND
AFFIRMATIVE DEFENSES AND ENTER
DEFAULT AGAINST DEFENDANT
RONALD A. COLQUITT**

Comes now, Defendant, RONALD A. COLQUITT ("Colquitt") hereby submits this
Opposition to Plaintiff's Motion to Strike and Enter Default. Said motion is made and based upon
the pleadings and papers already on file herein, the attached Points and Authorities, the attached
Affidavit of Ronald A. Colquitt and upon any evidence that may be heard at the time of the
hearing of Plaintiff's motion.

DATED this 3rd day of November, 2014.



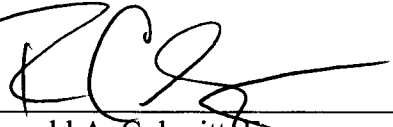
Ronald A. Colquitt, Esq.
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POINTS AND AUTHORITIES

An analysis of Plaintiff's Motion reveals that it is predicated upon the erroneous assumption of Plaintiff that at the time of the hearing before this Court on October 3, 2014 on Colquitt's Motion to Quash Service and Dismiss, attorney Kent F. Larsen "entered an appearance for Colquitt and argued the motion for Colquitt." (See Plaintiff's Motion Page 3, Lines 2-3) This is simply not the case and not supported by the pleadings filed in this case or the record before the Court. At all times relevant in this action, Defendant Colquitt has appeared Pro Se and has at no time been represented by Mr. Larson or any other attorney. Defendant's Motion to Quash and Dismiss was obviously a timely response to Plaintiff's Second Amended Complaint, despite Plaintiff's failure to properly comprehend Federal Rules of Civil Procedure 12 and the computation of time following the service of a complaint. Upon the denial of Colquitt's motion, pursuant to Rule 12(4)(a), Defendant clearly has the right to file another responsive pleading within 14 days of receipt of notice of the denial of the motion. Colquitt filed a timely Answer to Plaintiff's Complaint on October 15, 2014. Plaintiff's motion is clearly just another abuse of the judicial system by Plaintiff meant to harass and vex defendants through the filing of meritless and burdensome pleadings.

Dated this 3rd day of November, 2014.



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AFFIDAVIT OF RONALD A. COLQUITT

YOUR AFFIANT, being first duly sworn under oath, subject to the penalty of perjury under Nevada law and in conformity with N.R.S. 53.045 deposes and states as follows:

1. Your Affiant is over eighteen years of age, a United States citizen and is competent to testify to the information contained herein;

2. The information testified to herein is based upon you Affiant's own personal knowledge, except those matters stated on information and belief, and as to those matters your Affiant is competent to testify thereto;

3. That your Affiant is an attorney duly licensed in the State of Nevada;

4. That your Affiant is a named defendant in the instant action;

5. That at all times relevant in this action, your Affiant has appeared in proper person only;

6. That your Affiant has never been represented by attorney Kent F. Larsen, Esq. or any other attorney or law firm in the instant action;

7. That it is my belief and opinion that Plaintiff's latest motion is merely an attempt by Plaintiff to harass and vex your Affiant and all other defendants in this litigation;

8. That it is my further belief and opinion that Plaintiff knows his complaint is meritless and he is merely attempting to prevail on procedure and not on any other legal merit.


RONALD A. COLQUITT

Signed this 31 day of October, 2014 in
the City of Las Vegas, State of Nevada.

CERTIFICATE OF SERVICE

A Copy of this Opposition was mailed to the Plaintiff, to the following address on the 3rd day of November, 2014:

Joseph Eugene Piovo
1853 Indian Bend Drive
Henderson, NV 89074

Further, copies of this Motion to Dismiss were electronically served on all parties of record on the 3rd day of November, 2014.



RONALD COLQUHOUN, Defendant in Proper Person